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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,880	09/05/2003	Tadashi Hayamizu	P24176	6638
7055	7590	09/20/2004	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			GHATT, DAVE A	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/654,880

Applicant(s)

HAYAMIZU ET AL.

Examiner

Dave A Ghatt

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2 and 13-20 is/are allowed.
- 6) ☒ Claim(s) 3 is/are rejected.
- 7) ☒ Claim(s) 4-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form FTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/11/03 & 4/24/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Omura (US 6,618,577). As illustrated in Figure 1, Omura teaches the claimed invention. Omura teaches an image forming apparatus 21 comprising an ejected paper section 37 to which recording paper S on which printing has been completed is ejected. Omura also teaches a pair of paper ejection rollers 39, rotatable in forward and reverse rotations, for transporting the recording paper S in an ejecting direction by rotating in the forward direction and transporting the recording paper S in the direction opposite to the ejecting direction by rotating in the reverse rotation. See column 4 lines 62-65. Omura also teaches a stopper, the vertical wall of section 37, for preventing the recording paper ejected to the ejected paper section from contacting the pair of paper ejection rollers 39.

Allowable Subject Matter

3. Claims 1, 2, and 13-20 are allowed.

Claim 1 has been allowed because the prior art of record does not teach or render obvious the total combination claimed, including a second paper ejection roller which is provided such that it is urged into contact with the first paper ejection roller and which rotates in the forward direction relative to the first paper ejection roller to switch back a recording medium which has been printed on one side thereof in a double side printing mode, and a stopper for preventing a recording medium which has been ejected onto the ejected paper tray from being caught between the first paper ejection roller and the second paper ejection roller and between the first paper ejection roller and the third paper ejection roller.

Claim 13 has been allowed because the prior art of record does not teach or render obvious the total combination claimed, including a first pair of transport rollers, rotatable in forward and reverse rotations, a second pair of transport rollers, provided in the vicinity of the ejected paper section, and a stopper for preventing the recording paper ejected to the ejected paper section from contacting at least either of the first pair of transport rollers and the second pair of transport rollers.

4. Claims 4-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, wherein the stopper is provided

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on at least part of the pair of paper ejection rollers so as to be rotatable relative to the paper ejection rollers.

Claim 5 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, wherein the stopper has a rotation restraining portion for restraining the stopper from rotating at a predetermined angle or more relative to the paper ejection rollers.

Claim 8 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, wherein a plurality of the stoppers are provided coaxially with the paper ejection rollers.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG



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